

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEITH KEMP,

Plaintiff,

vs.

ELDON K. McDANIEL,

Defendant.

3:10-cv-00188-HDM-VPC

ORDER

This a *pro se* prisoner civil rights complaint pursuant to 42 U.S.C. § 1983. On September 10, 2010, the Court entered an order dismissing the complaint without prejudice and granting plaintiff leave to file an amended complaint. (Docket #12).

On October 21, 2010, plaintiff filed a motion for an extension of time to file an amended complaint. (Docket #12). In the motion, plaintiff seeks a 60-day enlargement of time. Good cause appearing, the motion is granted.

In addition, plaintiff states that: "This will essentially be an extension of Case No. 2:09-cv-02002-PMP-LRL." (Docket #12, at p. 2). Plaintiff writes that: "I am going to combine this filing with [the] other counts (probably 6 or more besides this one) to show a campaign of harassment by the department of this facility." (Docket #12, at p. 1). On October 28, 2010, plaintiff filed a letter with an attached motion and supplement exhibits, bearing a caption for the instant

1 action and Case No. 2:09-cv-02002-PMP-LRL. Also on October 28, 2010, a second amended
2 complaint and exhibits were filed in Case No. 2:09-cv-02002-PMP-LRL. (Docket #30, #31).

3 Plaintiff has informed the Court that the instant action is “an extension” of his action
4 filed at Case No. 2:09-cv-02002-PMP-LRL. Under Rule 42 of the Federal Rules of Civil Procedure,
5 the court may consolidate actions when they “involve a common question of law or fact.” Fed. R.
6 Civ. P. 42(a)(2). Such consolidation promotes judicial efficiency and avoids potentially conflicting
7 results. *See generally*, Fed. R. Civ. P. 42. The instant action and Case No. 2:09-cv-02002-PMP-
8 LRL involve common questions of law and fact. Accordingly, the instant case is consolidated with
9 2:09-cv-02002-PMP-LRL. All pleadings, including amended complaints, shall be filed in the first-
10 filed action, 2:09-cv-02002-PMP-LRL. By this order, the instant action is administratively closed
11 and all further pleadings shall be filed in Case No. 2:09-cv-02002-PMP-LRL.

12 **IT IS THEREFORE ORDERED** that plaintiff’s motion for a 60-day extension of
13 time (Docket #12) to file an amended complaint is **GRANTED**.

14 **IT IS FURTHER ORDERED** that the instant action is **CONSOLIDATED with**
15 **Case No. 2:09-cv-02002-PMP-LRL**.

16 **IT IS FURTHER ORDERED** that this order **SHALL BE FILED** in Case No. 2:09-
17 cv-02002-PMP-LRL and in the instant action.

18 **IT IS FURTHER ORDERED** that the instant case is **administratively closed, and**
19 **all further pleadings shall proceed under Case No. 2:09-cv-02002-PMP-LRL**.

20 **IT IS FURTHER ORDERED** that no further documents shall be filed in this closed
21 action.

22 DATED this 15th day of November, 2010.

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UNITED STATES DISTRICT JUDGE